

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

USA,)
)
 Plaintiff,) 4:10CB3005
)
 v.)
)
 TIMOTHY C. COGGINS,) MEMORANDUM AND ORDER
)
 Defendant.)
 _____)

The defendant has moved to continue trial, (filing no.9), because defendant's counsel will be in Lincoln on this date for another case. The government does not oppose the requested continuance. The Court finds defendant's motion will be granted.

IT IS ORDERED:

- 1) The defendant's motion to continue (filing no.9) is granted.
- 2) The non-jury trial of this case is set to commence on December 8, 2010 at 1:30 p.m., in courtroom 2, Federal Building, 100 Centennial Mall North, Lincoln, Nebraska before Magistrate Judge Cheryl R. Zwart.
- 3) Based upon the showing set forth in the defendant's motion and the representations of the counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and December 8, 2010, shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

Dated this 15th day of October, 2010.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge